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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/712,665	11/12/2003	Manoj Khangaonkar	SVL920030058US1	2592

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MICHAEL J. BUCHENHORNER
8540 S.W. 83 STREET
MIAMI, FL 33143

EXAMINER

DEBNATH, SUMAN

ART UNIT	PAPER NUMBER
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2135

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/09/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/712,665	KHANGAONKAR ET AL.	
	Examiner	Art Unit	
	Suman Debnath	2135	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11/12/2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>03/04/2004 and 03/19/2004</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-22 are pending in this application.

Claim Objections

2. Claims 1, 10, 16 and 19 are objected to for lack of antecedent basis:

Claim 1 recites "high level business data" in line 3 and "the business data" in line

4. It is unclear if both the limitations are same.

Claim 10 recites "the type of messages" in line 2.

Claim 16 recites "the type of messages" in line 3.

Claim 19 recites "the high level data" in line 1.

Appropriate correction is required.

3. Claim 20 is objected to for missing punctuation marks (i.e. period) at the end of the claim. Applicant is advised to make appropriate.

Claim Rejections - 35 USC § 101

4. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

5. Claims 11-16 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claim 11 recites "a computer readable medium comprising program", which is considered non-statutory since the claimed computer

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readable medium is, as such, not only limited to tangible mediums (e.g., computer readable storage medium) that are regarded as statutory subject matter.

Claims 12-16 are the dependent claims that inherit the deficiency of claim 11. Therefore, claims 12-16 are also rejected under 35 U.S.C. 101 for reciting non-statutory subject matter.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 11-12 and 14-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Feldbaum (Patent No.: US 6,446,206 B1).

8. As to claim 11, Feldbaum discloses a computer readable medium (FIG. 1, column 3) comprising program instructions for receiving data from a source application program (FIG. 3, column 5, lines 15-45, ".....the message queuing system allows an application on one machine to send a message to another application on a different machine in an asynchronous manner"); encoding the data according to a message queuing protocol to provide an MQ message (Feldbaum teaches of encoding the data according to a message queuing protocol in order to deliver the data as an MQ message to the queue, e.g., column 5, lines 38-60); encrypting the MQ message to

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provide an encrypted MQ message (column 7, lines 10-31, which describes MQ server sends the message with the digital signature); and transmitting the encrypted MQ message to a destination application program for processing of the data (FIG. 7, column 8, lines 29-60).

9. As to claim 12, Feldbaum discloses the computer readable medium comprising an instruction for storing the encrypted MQ message in a queue manager prior to transmitting the encrypted MQ message (column 5, lines 38-60, "The message to be delivered may be temporarily stored in an outgoing message queue...").

10. As to claim 14, Feldbaum discloses the computer readable medium further comprising an instruction for maintaining a record of the messages received from the source application program (FIG. 3, column 5, lines 10-60).

11. As to claim 15, Feldbaum discloses the computer readable medium wherein the record of the messages received from the source application program comprises information on the number of messages received (FIG. 3, column 5, lines 10-60).

12. As to claim 16, Feldbaum discloses the computer readable medium wherein the record of the messages received from the source application program comprises information on the type of messages received (FIG. 3, column 5, lines 10-60, "...the MQ server maintains a plurality of message queues").

13. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

14. Claim 18 is rejected under 35 U.S.C. 102(e) as being anticipated by Smith (Patent No.: US 6,604,104 B1).

15. As to claim 18, Smith disclose a method for transmitting high-level data in real time to one or more enterprises (FIG. 4), the method comprising: receiving, from an application, a message comprising high level data (column 1, lines 23-31) and a request to process the data by a server (FIG. 4, FIG. 7, column 7, lines 5-40); converting the message into an MQ message using a message queuing protocol (Smith teaches of converting the message into an MQ message using a message queuing protocol in order to deliver the data as an MQ message to the queue, e.g., column 7, lines 5-26); encrypting the MQ message using a security protocol to provide a secure MQ message (column 10, lines 15-35 and column 7, lines 5-40); and transmitting the MQ message to a first queue manager for retransmission at a time when the network is suitable for transporting the message to the server (FIG. 4, column 7, lines 5-25, "...may also store the messages in a persistent state until they can be delivered successfully...").

Claim Rejections - 35 USC § 103

16. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

17. Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith in view of Chu et al. (Pub. No.: US 2002/0123966 A1), hereinafter Chu.

18. As to claim 1, Smith discloses a system for integrating applications in different enterprises separated by firewalls (FIG. 6, column 10), the system comprising: an input for receiving high level business data from a source application (column 7, lines 5-40 and column 1, lines 23-31); an encryption engine for encrypting the business data to produce encrypted business data (FIG. 6, column 1, lines 23-31 and column 10, lines 15-35, "...connections between the source and target systems may be evaluated and made secure using known encryption .."); a queue manager for receiving the business data and for storing the business data for delivery to a target processor (column 7, lines 5-26); and an output for transmitting the encrypted business data to the target application (column 10, lines 15-35), wherein the system and the target processor are separated by at least one firewall (column 10, lines 5-25, "Firewalls and other physical access restriction mechanisms may be used between networks and nodes..").

Smith doesn't explicitly disclose that the queue manager receives encrypted data. However, Chu discloses that the queue manager receives encrypted data (FIG. 7).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the teaching of Smith by letting the queue manager receiving encrypted data as taught by Chu in order to "provide a system and method for acquiring event logging data off of network financial transaction terminals, such as ATMs, which is reliable, scaleable, secure and real time". (Chu)

19. As to claim 2, Smith discloses at least one firewall for coupling the output to a wide area network (column 10, lines 5-25, "Firewalls and other physical access restriction mechanisms may be used between networks and nodes..").

20. As to claim 3, Smith discloses wherein the encryption engine comprises a secure sockets layer protocol (column 10, lines 15-25).

21. As to claim 4, Smith discloses wherein the encryption engine comprises an HTTPS protocol (column 10, lines 15-25).

22. Claims 5-6, 8-10, 17 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Feldbaum in view of Butman (Patent No.: 5,867,665).

23. As to claim 5, Feldbaum discloses a method, comprising steps of: receiving data from a source application program (FIG. 3, column 5, lines 15-45, ".....the message queuing system allows an application on one machine to send a message to another application on a different machine in an asynchronous manner"); encoding the data according to a message queuing protocol to provide an MQ message (column 5, lines 38-60); encrypting the MQ message to provide an encrypted MQ message (column 7, lines 10-31, which describes MQ server sends the message with the digital signature); and transmitting the encrypted MQ message to a destination application program for processing of the data (FIG. 7; column 8, lines 29-60).

Feldbaum doesn't explicitly disclose for integrating applications hosted at different enterprises separated by at least one firewall. However, Butman discloses for integrating applications hosted at different enterprises separated by at least one firewall (FIG. 1a).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the teaching of Feldbaum by integrating applications hosted at different enterprises separated by at least one firewall as taught by Butman in order to "protect the privacy of the internal data on its network, each would have a firewall around its network with a "demilitarized zone" (DMZ) outside or as part of the firewall for each other company it wished to reach." (Butman)

24. As to claim 6, Feldbaum discloses the method of storing the encrypted MQ message in a queue manager prior to transmit the encrypted MQ message (column 5,

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lines 38-60, "The message to be delivered may be temporarily stored in an outgoing message queue...").

25. As to claim 8, Feldbaum discloses the method further comprising maintaining a record of the messages received from the source application program (FIG. 3, column 5, lines 10-60).

26. As to claim 9, Feldbaum discloses the method wherein the record of the messages received from the source application program comprises information on the number of messages received (FIG. 3, column 5, lines 10-60).

27. As to claim 10, Feldbaum discloses the method wherein the record of the messages received from the source application program comprises information on the type of messages received (FIG. 3, column 5, lines 10-60, "...the MQ server maintains a plurality of message queues").

28. As to claim 17, Feldbaum discloses a remote agent (column 3, lines 3-47, "...distributed computing environments where tasks performed by remote processing devices..) comprising: an input for receiving a message from a first application (FIG. 3, column 5, lines 15-45, ".....the message queuing system allows an application on one machine to send a message to another application on a different machine in an asynchronous manner"), the message comprising high level data (column 5, lines 35-

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45, which describes running a banking application data) and a request to process the data by a second application at a target node in a network (FIG. 3, FIG. 7, column 5, lines 5-60 and column 7, lines 10-30), and a first queue manager for receiving messages from the agent (FIG. 3, column 5, lines 10-60) and for transmitting the messages to the target node when the target node can receive the messages (FIG. 3, column 5, lines 10-60).

Feldbaum doesn't explicitly disclose the target node is located at another side of a firewall from the agent. However, Butman discloses the target node is located at another side of a firewall from the agent (FIG. 1a).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the teaching of Feldbaum by implementing the target node located at another side of a firewall from the agent as taught by Butman in order to "protect the privacy of the internal data on its network, each would have a firewall around its network with a "demilitarized zone" (DMZ) outside or as part of the firewall for each other company it wished to reach." (Butman)

29. As to claim 19, Feldbaum discloses wherein the high level data comprises customer information (column 5, lines 28-60, which describes a banking application run by the user generates a message requesting the application on the receiver to execute the transaction").

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30. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Feldbaum in view of Combar (Patent No.: US 7,058,600 B1), hereinafter Combar.

31. As to claim 13, Feldbaum doesn't explicitly disclose the computer readable medium further comprising an instruction for sending a message to the source application program instructing the source application program to stop sending data. However Combar discloses an instruction for sending a message to the source application program instructing the source application program to stop sending data (column 20, lines 25-41).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the teaching of Feldbaum by sending an instruction for sending a message to the source application program instructing the source application program to stop sending data as taught by Combar in order save the bandwidth of data network.

32. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Feldbaum in view of Butman and further in view of Combar.

33. As to claim 7, neither Feldbaum nor Butman explicitly disclose sending a message to the source application program instructing the source application program to stop sending data. However, Combar discloses sending a message to the source

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application program instructing the source application program to stop sending data (column 20, lines 25-41).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the teaching of Feldbaum and Butman by sending a message to the source application program instructing the source application program to stop sending data as taught by Combar in order save the bandwidth of data network.

34. Claims 20-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Feldbaum in view of Butman and further in view of Smith.

35. As to claim 20, neither Feldbaum nor Butman explicitly discloses wherein transmitting the MQ message further comprises using a hypertext transfer protocol. However, Smith disclose wherein transmitting the MQ message further comprises using a hypertext transfer protocol (column 10, lines 5-25).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the teaching of Feldbaum and Butman by transmitting the MQ message using a hypertext transfer protocol as taught by Smith in order to support web browser.

36. As to claim 21, neither Feldbaum nor Butman explicitly discloses wherein transmitting the MQ message further comprises a secure socket layer protocol. Smith

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disclose wherein transmitting the MQ message further comprises a secure socket layer protocol (column 10, lines 5-25).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the teaching of Feldbaum and Butman by transmitting the MQ message using a hypertext transfer protocol as taught by Smith in order to maintain the integrity of transmitting the application data over the unreliable networks (i.e., internet).

37. As to claim 22, neither Feldbaum nor Butman explicitly discloses wherein transmitting the MQ message further comprises a hypertext transfer protocol over a secure socket layer. Smith disclose wherein transmitting the MQ message further comprises a hypertext transfer protocol over a secure socket layer (column 10, lines 5-25).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the teaching of Feldbaum and Butman by transmitting the MQ message using a hypertext transfer protocol as taught by Smith in order to maintain the integrity of transmitting the application data over the unreliable networks (i.e., internet).

Conclusion

38. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See accompanying PTO 892.

Brandt et al. (Patent Number: US 6,377,993 B1) discloses web based data management with DMZ as firewall.

Patel et al. (Patent No.: US 6,438,690 B1) discloses end-to-end communication system for transmitting encrypted message using queuing technology.

Amit et al. (Patent No.: US 7,162,512 B1) discloses a method for message delivery with guaranteed exactly once.

Haba (Patent No.: US 6,275,912 B1) discloses method and system for storing data items to a storage device.

39. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Suman Debnath whose telephone number is 571 270 1256. The examiner can normally be reached on 8 am to 5 pm.

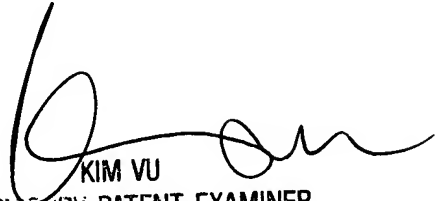
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y. Vu can be reached on 571 272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

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